THE EXAMINER.

No. 30. *SUNDAY, JULY* 24, 1808.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few.
SWIFT.

No. 30.

CHARACTER OF SIR FRANCIS BURDETT, BARONET, M. P.

TO THE ELECTORS OF WESTMINSTER.

GENTLEMEN,

As a man who thinks entirely for himself, I feel a pleasure and a pride in addressing you. Compelled, like every honest editor of a paper, to gaze even to shivering upon the fogs of ministerial corruption and to explore with hazard and with loathing the pools in which English principles lie stagnant, I breathe a new atmosphere in the presence of independent men. I approach you with no other wish than to see you enjoy this atmosphere in all it's purity, to see that your friends are as pure as the element they inhabit, and that no secret corruption has crept among you to turn it into contagion.

Of Sir FRANCIS BURDETT's heart no man thinks more highly than myself. I know that he is beloved as much at home as abroad; he is not a popular man of that weather-house species, which brings a blessing with it only when it comes out of doors; his face and his heart [illegible] the same language everywhere, and it is merely in the Babel of faction that this language is not properly understood. If he is cool, it is in the calm enjoyment of his good conscience; if he grows warm, it is in the healthful exercise of his good heart. Such a temper carries with it the evidence of good sense; and in the general management of his popularity, Sir FRANCIS has shewn not only a knowledge of the world, but what is infinitely more rare in a public favourite, a knowledge of himself. His manner of life neither avoids nor courts observation, neither affects shew to dazzle the ignorant, nor shabbiness to flatter the poor. It is a considerable praise to his judgment, that he has pretended no contempt for his own rank. Equality of conditions is in fact the least adapted to a free nation of all others, for where talents have their free exercise, the most vigorous will jump the highest; and if ever men become what is called equal, it is only in corrupt states, which set bad men on a level with good by giving them wealth and honours. Sir FRANCIS is conscious that he does honour to his rank, and when the Court has of late so prostituted it's honours, his very title will set him above his fellows, because he unites the double lustre of rank and virtue. The affectation of a contempt for the useful distinctions of society is indeed a miserable compliment even to one of the lowest of the multitude, for at bottom it is a mere piece of flattery to his supposed ignorance and envy. Sir FRANCIS neither attempts nor has any need to deceive you: his wealth and his station place him above avarice and petty ambition; and you may be assured that if any mischance befalls him, it will not be owing to a *want* of confidence in the virtues of his friends.

To be always with the people is not always to be for them; but to all his good qualities, Sir FRANCIS adds the good fortune of possessing the best side of the argument. His bitterest enemies cannot deny that the constitution is corrupted, and they have no resource against him, but to attribute his exertions to wrong motives or to argue that corruption is necessary for the constitution. To the first charge his daily life is the best answer; and here you may see, Gentlemen, the high value of a good private character to public men. People will tell you, that private and public character have no connection; that Mr. PITT was a great man though a drunkard, and that Lord SANDWICH was a great man though a scoundrel. Certainly I am not disposed to deny that Mr. PITT was a great drunkard and Lord SANDWICH a great scoundrel, but it is manifest that drunkenness and villany, abstractedly considered, are drawbacks upon a man's sound sense, and I confess I have a greater partiality for such men as SULLY and CECIL, who not only had good private reputations, but some how or other were much more fortunate in their ministries than either PITT or SANDWICH. It would seem, that vice with such men as the latter is vicious, only when it is public; and I need not say, that when the little private actions of their administration have been discovered, this opinion became very manifest. I do not think that a minister, or any other great officer of Government, who is privately vicious, can be a proper guardian of the public. A watchman may in general keep his eyes open, but suppose he happens to be intoxicated when your house is on fire, or talking with a prostitute, when there is battle and murder in the next street. If a guardian of the public is fond of drinking, we all know to what drunken men are liable, and you may remember the time, when a very great Minister went very drunk indeed into a British Parliament. If he is fond of women, his fondness is but

another kind of intoxication with a more maudlin sympathy: women have delicate fingers in the discovery of treasure; women may draw drafts, Heaven knows where or how, and we all know that even the greatest generals have been put to sad expedients to behave with gallantry on these occasions. If he is superstitious, the liberty of religion is in danger; if he is a mere courtier, the liberty of the subject. Lastly, if your public guardian is fond of hoarding up his money, he may prolong wars and other sources of partial wealth, merely to swell his purse; this will infallibly render him hard hearted, obstinate, and fond of corrupt men; he will become the worst of Midases, and at every touch of his authority, the freedom and happiness of his country will turn into wretched gold.

As to the monstrous doctrine, that corruption is necessary to the constitution, it does not deserve an argument. Some men may find corruption necessary to themselves, but these men are not necessary to the constitution. Thank God, they have no place of this kind in any syllogism, from which the salvation of the country is deduced. Yet these men dare to stand up in this age and in this country, and proclaim that a corruption of the constitution, or in other words, a dissolution of the principles which hold our liberties together, is necessary to their preservation. According to some of our late learned judges, the greatest bands of our freedom are burst already, for they prophecied that this catastrophe would happen whenever the Habeas Corpus Act should be suspended, and it certainly does not become a journalist to differ with a judge. But it has been asserted in a late publication, not only that the state is threatened with disorder, but that certain persons have proposed a suspension of the constitution: in other words, Gentlemen, the constitution is to be hung, for I am very well convinced that suspension would be its death. This must be a mere fancy, for no man, who is really acquainted with so infamous a project, could dare to keep secret its particulars. But against all attempts of the kind, small or great, you have provided yourselves with a steady defender in Sir Francis Burdett. It would be a libel to compare such a man with Wilkes, but even Wilkes, when he happened to hit upon a good intention, is a proof with what success any resolute Englishman can withstand an invasion of his rights. I must again warn you, that it is not by any defalcation of his own energies, it is not by any want of confidence in his friends, it is not even by any corrupt opposition to his truly English principles, that the good intentions of Sir Francis may be defeated.

Gentlemen, let us look about us and behind us. Recollect, that all idols, whether human or divine, are perhaps least idolized by those who know their composition. Sir Francis may be an exception, but is there no idol, no secret oracle that Sir Francis himself may blindly worship to his own cost? Is there no Dagon he may feed with his money in order to be deceived in return? Whatever faults Sir Francis may have, they are owing, I am convinced, to the superiority of his heart over his judgment, for however highly I may think of that Gentleman, I do not regard him as my own oracle, and still less would I have him implicitly regard any man as his. Rational men are disturbed, when they hear Sir Francis declaiming against every set of Ministers as a succession of profligates, bent on the ruin of their country. If he values himself, as he justly may, upon his private character, and thinks it of consequence in the eyes of his judges, it becomes him to grant the same privilege to men of the same desert. Will Sir Francis, or any man in his senses, assert, that every Minister and every placeman enters into office with a serious intention of destroying his country and consequently himself? I certainly do not think it right to separate men from measures in the latitude that every ministerial paper wishes when it's patrons are unfortunate, but surely measures must not always be confounded with intentions, or Sir Francis himself would not altogether escape from the reputation of an ill-disposed man. Yet to hear Sir Francis as well as some of you, Gentlemen, at your dinners, one would suppose that an elevated place under Government was like the platform to a gallows, upon which every man who ascended, instantly became lost to every thing but himself and was in the best road to hanging. You imitate Sir Francis in these invectives, but whom does he himself copy? The least reflection must convince you, that however a bad man may be formed to make an unfit minister, it is not every unfit minister who is a bad man. Proceed, in God's name, in all your good intentions; pray and practice what you can, both for a reform of parliament and a parliament of reform; but do not yield to a violence, which renders your intentions suspected instead of applauded, your patriotism irritable instead of effectual. This temper, I am sure, is not the natural temper of Sir Francis. It is too much like anger and disappointment. Whence does it proceed?

Stand forth, Horne Tooke.—This, Gentlemen, is the oracle of Sir Francis Burdett. This is the being, who with habits of mind that neglect even the common cleanliness of the person, would undertake to purify the constitution of a great nation. This is the purist, who after having entered the church with a manifest contempt for his profession, which he insulted by getting natural children, after having left the church to give a loose to a turbulent ambition certainly very different from the meekness of a Christian minister, after having alternately crouched and gnashed his teeth at royalty, after having alternately

praised and abused the same measures and men, after having called the immortal JUNIUS a factious, wicked, and diabolical traitor; in short, after having told his opponents with an astonishing candour that he by no means wished to be considered as a gentleman, thinks himself qualified to instruct a sensible, good-hearted, but credulous young man in the principles of public decency and integrity. In one sense, Gentlemen, you cannot be sure of this man, for he is not independent of the men he praises; he too, Gentlemen, is a Placeman of a very peculiar sort, for after having spent his resources, or at least those of his friends, in a very lucky impossibility of becoming a Legislator, he has become a placeman of his friends instead of the Sovereign he once reverenced so highly: but in another sense you may indeed be sure of him, for it is but the other day he attempted one of the vilest deceptions in the face of an insulted public. When an author tells a falsehood he tells it to every man in the community whom it concerns, and I should be glad to see how Mr. HORNE TOOKE can get rid of the charge of having told a manifest lie to the whole body of Westminster Electors. It is one of his pamphlets concerning Mr. PAULL to which I allude. That unhappy adventurer proved, to the satisfaction of every sane person, by the production of certain letters, that notwithstanding Mr. HORNE TOOKE told the public he knew nothing of Mr. PAULL and had never invited him to his house, the very same HORNE TOOKE, the very man who has accused so many people of falsehood, had by letter invited Mr. PAULL in a most open and earnest manner to visit him with all the privileges of an intimate friend at Wimbledon. I leave you, Gentlemen, to judge of the man who has told you so gross and wilful a falsehood. He, I dare say, will call it a trifle, and perhaps I think *well enough* of him to believe, that he does not belie his real opinion in so calling it; but I should be glad to discover, what Sir FRANCIS calls it when he talks to himself. I will quote a few of Mr. TOOKE's former sentiments, and I have done. "Whatever may be the event of the present wretched state of politics in this country, the principles of JUNIUS will suit *no* form of government; they are not to be *tolerated* under *any* constitution. *Personal enmity* is a motive fit only *for the Devil: whoever or whatever is Sovereign, demands the respect and support of the people.*"*

I have been very candid with you, Gentlemen, and with your favourite Sir FRANCIS. May he long be your favourite, acting from no other suggestion than his own *unchanging* principles. It is reckoned, I know, a laudable weakness to be blind to the lighter errors of a favourite, whose real virtues are generally acknowledged: but it is still more laudable to see and to avert them. The task of refuting and being angry at the mere enemies of Sir FRANCIS may sometimes induce you to repose with too happy an indolence on his mere flatterers.

I am, Gentlemen, with much respect, your sincere well-wisher, THE EDITOR.

☞ "[*A second letter will shortly appear.*]

* Letters of Junius. Reply to 55th letter. Almon's Edit. vol. 2d, p. 170.

FOREIGN INTELLIGENCE.

SPAIN.

[*FROM THE PATRIOTIC PAPERS.*]

MADRID, JUNE 23.—We see with delight the account of the victory of the Arragoneze, and we are confident that the Divine Lady of Pilar has determined to take vengeance for the sacriligious contempt of her miracles expressed by the French in the Madrid Journals.

CARTHAGENA, MAY 24.—The intelligence received in this city yesterday produced such a commotion that the French Consul fled, and took refuge on board a Danish vessel. The Governor went to meet the people, and succeeded in quieting them, but could not prevent them from burning the public papers of the French Administration. In the night they proceeded to the Government-house, and required the assembly of a town meeting, which was accordingly summoned, and the oath of allegiance was taken with all solemnity to Ferdinand VII. Gen. Salcedo had orders to take the command of the squadron in the harbour, and to conduct it to Toulon. But the execution of the order was prevented, and the command of the squadron was given to Lieut.-Gen. Cisneros. A council of war was formed.

GRENADA, MAY 29.—The Supreme Junta has received with the greatest satisfaction the intelligence of the ardour with which all the towns of the coast of Granada have received its orders. All with *one* voice proclaimed Ferdinand VII. declaring they would shed the last drop of their blood in his defence. An infinite number of persons of every description were enlisting themselves to meet the dangers that were to be encountered. The Captain-General of Granada, Don Ventura Escalante, was not so inclined, but still, by the influence of the Lieutenant of Artillery, Don Joseph Santiago, sent with that view by the Supreme Junta, the King was proclaimed. The people deprived Escalante of his employment, substituting in his place Don Joaquin Romero, Colonel of the Regiment of Cavalry of Spain.

SEVILLE, JUNE 15.—Yesterday, at six in the morning, his most Serene Highness the Lord President of the Supreme Junta, arrived in this capital from the head-quarters at Utrera, highly satisfied with the order preserved by our troops, and the measures that have been taken to insure the success of its operations. By intelligence received in the evening of the 12th, we learn, that the three important points of St. Helena, Despena Perros, Puerto del Rey, in the Sierra Morena, have been fortified with artillery, and remain guarded by the troops of the kingdom of Granada. A letter from Andujar states, that the whole population of

that city had risen and proclaimed Ferdinand VII. The whole of the French troops in the place were made prisoners; and the Commanding Officer, and the others who made resistance, were put to death. At six this day a French post arrived, with packets from the Duke of Berg. The packets being opened by the French confined in prison, and being read publicly, were found to require assistance in men and ammunition, the Commander being in great extremity, having lost his first and second division, and part of the third.

Tuy, June 30.—The tiger Junot had the impudence, in various Proclamations, to ask the assistance of the Portuguese, whom he had so cruelly oppressed, as an indication of their gratitude for the essential services he had rendered them. This Junot, as soon as he was apprized that Oporto was evacuated by the Spaniards, building on this satisfaction and gratitude of the Portuguese, wrote to Gen. Loison, directing him, with 5000 men, to proceed to garrison Oporto. He divided his men into columns, and many of his soldiers were without arms, expecting to procure them in Oporto. He dispatched his Avant-couriers, who were taken by the people of the town of Amarante, who sent to Oporto, from whence troops were procured to encounter Loison. Loison was in the mean time informed that the whole province of Duero and Mino was in a state of insurrection, and he therefore began to retreat. The troops from Oporto having approached, dispersed his army, took the unarmed soldiery prisoners, with a quantity of baggage, ammunition, and the military chests of several regiments. The forces from Oporto have been in pursuit of a separated column consisting of 3000 men, which, no doubt, must have surrendered.

Benevento, July 4.—We learn from Lisbon, that Marshal Moncey is a prisoner, with his whole army, after having been driven between three fires, from the troops of Echavarria, Valentia, and Murcia, near Montilla del Palancar, beyond Roquena. It is also added, that the Duke of Berg has taken flight from Madrid; and some say, that, having been taken ill, he was detained at Aranda del Duero.

THE GENERAL OF SARAGOSSA TO THE ARAGONESE.

CONQUERORS OF THE HAGHTY FRENCH!

Aragonese!—You have proved yourselves to be worthy of your name. That multitude of proud warriors, triumphant in every other part of Europe, ceased to retain the character of conquerors when they came before you. You are inferior both in discipline and numbers; because one-twentieth part of our forces have not entered into action, having been incapable of uniting. But your zeal has overcome every difficulty. The musketry in which your enemies place so much confidence, are weak instruments of their power when you appear before them: you look at them with courage, and they fall at your feet.

Aragonese!—The result of our first attempt has been to leave on the field of battle 18,000 enemies, composing a complete army, which had the audacity to provoke our resentment. We have had the good fortune to get possession of all the property and baggage, of which the people have been infamously plundered, in the countries through which this army passed. Our loss consists only of from 1700 to 2000 killed, and an equal number wounded; a loss bearing no comparison to the triumph we have obtained. Their precious blood is shed in the field of glory, on their own territory; and these blessed martyrs demand new victims; let us prepare for the sacrifice. Aragonese! be not impatient. The enemy against whom we fight is rash, and will afford frequent opportunities for you to exercise your skill and your courage. If, especially, the lawless bands which violate our city of Madrid, and their Commander, Murat, should venture to approach us, we should receive the intelligence with the highest satisfaction; we would anticipate their expectations, and meet them half way.

Aragonese!—If the battle of Saragossa had been gained by those intruders, we should have heard their babbling of the victories of Marengo, Austerlitz, and Jena, acquired by the same valour. Although the conquest we have effected has been sanguinary, yet it has been glorious. Do you consider it as a trifling commencement of your future triumphs, under the powerful assistance of your illustrious Leader and Patron. Palafox.

Head-quarters at Saragossa, 17th of June, 1808.

SUPPLEMENT TO THE JOURNAL OF GOVERNMENT, OF 8TH JULY, 1808.

Government has received by the vessel which arrived this morning dispatches from Don Sangos, and from the English Government, bearing date the 30th of last month, the pleasing intelligence, that the said Gentleman and Don Freyre experienced the most distinguished reception on the part of the Government, and were received with enthusiasm by the nation; further, that on the very outset of their negotiation they were offered *succour of every description*, which will be received within a few days, and that the English Government solicits permission to establish a regular intercourse of packets in order to promote a prompt communication with Corunna. The Royal Government has ordered these happy tidings to be communicated to the public for the satisfaction of the people, and that they may lift up their eyes to heaven, and offer up thanksgiving to the Omnipotent, who vouchsafes to bestow on them such important blessings.

Badajos, June 27.—The following Notice was received at nine o'clock at night from his Excellency the General of the Provinces:—

"*Soria, June* 18.

"It appears that the Divine Blessing again attends us and the Generalissimo. Our Lady of Pilar has given us a new proof of her favour and protection. After the French had fallen in the battles of Tudela, Mallen, Gaul, and Arsagon, in which places they appeared to the number of 5 or 6000, an army of 12,000 French had orders to enter Saragossa on the day of Corpus Christi, and the command was, that the town should be penetrated, although only one soldier remained to descend from the ramparts. By the miraculous interference of the Holy Virgin, a battle was fought by the Patriots against these troops, at the distance of only a gun-shot from Saragossa. All the French were put to the sword, not a single man remained to tell the dismal narrative to his countrymen. The Aragonese fought like furies, and as they approached the enemy, they threw away their muskets and rushed upon the plain regardless of life. Four hundred horses which remained, and 27 baggage waggons were taken after this victory. Our loss, it is supposed, has been great, but without considerable sacrifices no such triumphs can be acquired; conquest however will amply repay us the losses we sustain.

"This is communicated to the public, for its satisfaction, by order of the Junta.

"Antonio Berger, Sec."

PORTUGAL.

Oporto, July 6.—The news we have here is of a

very pleasing nature. From Spain we learn that the army in Madrid has been defeated, and that the remains of Murat's force do not exceed 20,000 men. The Spaniards give no quarter to the French; the time appears to be at hand, when the latter will be routed, and the race of Napoleon, called, forsooth, the Omnipotent, exterminated from the earth. The Governor, Luiz d'Oliveira, has been apprehended; Col. Joze Cardozo, the Chief Magistrate (Corregidor) of Pena Fiel; the Justice of Amarante; the Chief Magistrate of Lamego, Father Antonio Raimundo, Professor of the French Academy, and many others, have also shared the same fate. All Portuguese, known to be partizans of the French, are taken up. The French Consul, and his sons Donadieu and Richard, and others, are arrested. Gen. Loison, who was on his march to this city from Braganza, pushed on as far as Amarante; but the people of Braga, Guimarucas, Douro, and Villa Real, joined, attacked, and defeated him. He retreated in great confusion in the direction of Almeida, with the loss of his baggage, artillery, military chest, and 600 men. In Coimbra, 30 French soldiers were taken prisoners, and 80 in Figueira. The communication with Lisbon is cut off; no mails will be allowed to proceed to those parts, until we shall have succeeded in reducing the French force, which as yet occupies the capital. The whole country is in arms as far as Santarem. Gen. Sepulcora commands in those parts. The Court and Government of Portugal are at present in this place, and the period of the extermination of the French seems to draw nigh.

PROCLAMATION.

In the name of the Prince Regent of Portugal, the Supreme Council of Government of the City of Oporto, makes known to all the subjects of the said Prince, our Lord, that the French Government is entirely abolished and exterminated in this country, and the royal authority of our lawful Sovereign restored, which authority shall be fully and independently exercised by the said Supreme Council, until the Government appointed in this kingdom by his Royal Highness shall have resumed their functions. In pursuance thereof, the said Council orders and directs, that our said Royal Master shall be proclaimed, and his Royal Arms put up and respected, as they always were, and always ought to be; and that all the Constituted Authorities shall act in conformity herewith, and all orders shall be expedited in the Royal Name of our said Lord.

THE BISHOP, President and Governor.

Oporto, 19th June, 1808.

GERMANY.

HAMBURGH, JULY 4.—"All the letters received from Fulmen and Jutland, speak in high terms of the discipline and good order which prevails among the Spanish troops, as well as of the good spirit with which they are animated. They have heard with great satisfaction of the accession of the King of Naples to the throne of Spain. It is asserted that they have sent an Address to their new Sovereign, and requested the Prince of Ponte Corvo to offer to him the homage of their fidelity and attachment. The Officers of this Army are already anticipating the return (under the Government of a Prince of the Imperial Family) of that glorious era which will restore to the Spanish nation its ancient lustre."

SWEDEN.

GOTTENBURGH, JULY 8.—According to private letters from Stockholm, received by the post of to-day, the King is gone to Finland for the purpose of having a meeting with the Emperor Alexander. It is stated in these letters that the successes of the Swedes against the Russians in Finland has been, that considerable numbers of the latter have been ordered to march into Russian Poland, which country, it is rumoured, Bonaparte has demanded; and those letters go so far as to say, that the meeting of Alexander and Gustavus, has for its object the forming a new coalition against France, to which Austria will join all her force; these reports, we fear, are at least premature, if not entirely unfounded.

JULY 11.—The reports of Austria preparing for war, and of the meeting between the King of Sweden and the Emperor Alexander, continue to prevail.

STATE PAPERS.

SPANISH CONSTITUTION.

A Constitution has been drawn up for Spain, under the direction of Bonaparte. The following is an abstract of its provisions:—

It is divided into 13 Titles and 127 Articles.

The 1st Title contains only one Article, declaring the Catholic Religion to be the sole religion of Spain and its dominions.

The 2d Title declares Joseph Napoleon, King of Naples and Sicily, to be King of Spain and the Indies. The Crown of Spain and the Indies shall be hereditary in the lawful male issue of the said Prince, to the perpetual exclusion of females. In default of such issue, the Crown to descend to the Emperor of France, the King of Holland, and the King of Westphalia, and their lawful male issue successively; and in default of those, the Crown to descend to the eldest lawful son of the eldest daughter, who shall have male issue. The Crown of Spain is never to be united with any other. The King, on his succession, or attaining his majority, to take an oath to the Spanish people to support their religion, territories, and independence.

The 3d Title regulates the mode of appointing a Regent, in case of a minority, and the manner in which the affairs of Government are in that event to be conducted.

The 4th Title relates to the property of the Crown. In case the yearly value of the property at present vested in the Crown should at any time fall under one million of hard piastres, an addition of hereditary property is to be made so as to make up that annual amount, and the Public Treasury is to pay over to that of the Crown the yearly sum of two millions of hard piastres. The King's Children, on attaining the age of 12 years, shall receive the following annual revenues:—the Heir Apparent 200,000 piastres, each Infanto 100,000, and each Infanta 50,0 0.

The 5th, 6th, 7th, and 8th Titles, determine the Officers of State and King's Household, with their different functions. There shall be nine Ministerial Departments, viz. of Police, Religion, Foreign Affairs, Internal Affairs, Domains, War, Marine, the Indies, and General Police. A Secretary of State is to sign all Acts of Government, and the Ministers, each in his own department, to be responsible for the execution of the laws, and of his Majesty's orders. The Senate to be composed of the Infanto of Spain, being 18 years of age, of 24 individuals, especially appointed by the King. The President of the Senate to be appointed by the King, and his functions to last for one year.

The 9th Title regards the Cortes or Juntas of the Na-

tion. They are to be composed of 150 members, and divided into three estates, or orders, those of the Clergy, Nobility, and People; the first to consist of 25 Archbishops or Bishops; the second of 25 Nobles, who are to have the title of Grandees of the Cortes; the third of 41 Deputies from the Provinces, 30 from the principal Cities, 15 from the Merchants, and 15 from the Universities. The President of the Cortes shall be appointed by the King, but chosen out of three candidates, to be nominated by the Cortes. The sittings of the Cortes shall not be public; their votes shall be taken by ballot. Neither the opinions nor votes of the Cortes, nor of any individual member, shall be published in print or in writing, and the commission of it shall be regarded as an act of insurrection.

The 10th Title respects the Spanish Colonies. They are to enjoy the same privileges as the mother country. Each Kingdom and Province shall have Deputies resident at the seat of Government, charged to watch over their particular interests, and to represent them in the Cortes. These Deputies to be 20 in number.

The 11th Title regards the administration of Justice. Justice shall be dispensed in the name of the King by Judges and Courts of Justice, to be appointed by his Majesty. All Courts claiming particular privileges and exclusive jurisdiction of any orders of Seigniories whatever, are abolished.

The 12th Title is on the administration of the Finances. The Royal Vales are declared a national debt. Tolls in the interior, between district and district, are abolished, and to be transferred to the frontiers and the coasts. A uniform system of taxation to be established throughout the whole kingdom. The nomination of all officers to be vested in the King, or the authorities whom he may empower.

The 13th Title contains merely general rules and regulations. There shall be a permanent alliance offensive and defensive betwixt France and Spain, and the contingent to be furnished by each State to be regulated by a separate Treaty. The present Constitutional Statute shall be carried into execution by Royal Decrees or Edicts, so that the whole shall be in operation before the 1st of January, 1813. The freedom of the press shall be regulated two years after the Constitutional Statute shall have been in operation. The Cortes shall pass a law respecting it.

PROVINCIAL INTELLIGENCE.

BRIGHTON, JULY 17.—The death of the Right Hon. the Countess of Bath, on Thursday last, I noticed in my letter of that day. Sir James Pulteney left her Ladyship only on the preceding morning, her health not being considered worse than it had been for many days before. On Thursday, after an unpleasing night, her Ladyship took breakfast as usual, and about mid-day, with a tolerable appetite ate a part of a roasted chicken, and drank a pint of mild ale. Her Ladyship's usual attendant being absent in London, Mrs. Case officiated in her place. It will almost seem that her Ladyship had a presentiment of her approaching dissolution, from her uttering the following words to Mrs. Case, soon after taking the refreshments above-mentioned:—"Mary, I am better to-day, and I shall not give you much trouble to-morrow. But watch constantly by me to-day, Mary, for to me it will be a day of great consequence." For nearly two hours, however, after these words had been uttered, no serious apprehensions were entertained on her Ladyship's account, when, in walking across her room, she tottered, and her strength seemed gradually to leave her. Mrs. Case with considerable difficulty, and more alarm, now supported her Ladyship to her bed, which done, she rang the bell violently, and afterwards dispatched a servant in great haste for medical assistance. Mr. Bond, the Surgeon and Apothecary that generally attended her Ladyship, soon after arrived: but the moment he beheld his patient, he pronounced her to be in the agonies of death. Her Ladyship survived but a very short time. The body was put into a leaden shell yesterday, and soldered down, the shrowd which enveloped it being of satin trimmed with the richest point lace. Her Ladyship's remains will be removed from hence, for Bath-house, Piccadilly, and from Bath-house to Westminster Abbey, for interment.

A melancholy accident happened on Tuesday, at the house of Mrs. Sheepcot, at Chalk-farm, Hertfordshire. A servant belonging to the farm had been employed during the morning in shooting at rats, from a cow-house window; and whilst he was at dinner a youth, a relative of Mrs. Sheepcot's, was amusing himself with the gun, which was incautiously left half-cocked, and it went off. Part of the contents were lodged in the body of a little girl who was playing in the parlour window, 50 yards from the cow-house, which killed her on the spot.

On Thursday last an alarming accident occurred at Thetford;—Mr. G. W. Marshall, clerk of the three parishes in that town, having occasion (in his situation of Serjeant-Major of the Thetford Volunteers) to assort some damaged cartridges, in doing which a spark from a hearth-brush, which had just been used in sweeping up the embers of a wood fire, and was procured by his son for the purpose of gathering some scattered powder, accidentally communicated with a barrel of gunpowder standing near, which exploded, and blew up him and his youngest son a considerable distance. The workshop, in which they were, instantly took fire, and from its communication with the house and adjoining buildings, at first occasioned considerable alarm, but the flames were soon subdued, from the ready assistance afforded by all classes of the inhabitants. Poor Marshall and his boy languished until the following (Friday) evening, when they died, in consequence of their having been shockingly burnt and maimed. It is not unworthy of record, that this man had, for a considerable period, filled nearly thirty situations in the Borough of Thetford, and his loss is much deplored there. The father was 40, and the son 11 years of age. A subscription for his widow and six surviving children has been set on foot.

Wednesday se'nnight the body of one Joseph Glendinning was found murdered in his own field, near Workington. He was seen very near the place, in company with a man at present unknown, between seven and eight o'clock in the morning, and was found dead between two and three in the afternoon, and from every circumstance it appears that the murder must have been committed within a few minutes after he was seen with the said unknown person. A more barbarous and cruel murder has not been heard of in any country. The deceased had five wounds in the breast and ribs, eleven in the belly, twelve in the neck, and one in the right leg. Several bruises upon the head and face, and two ribs (one on each side) broken. Though this murder was committed near to several houses, and on Workington market-day, when people were going to market in all directions, there scarcely appears a possibility of the murderer being detected. The Coroner's Jury, after sitting two days, returned their verdict—Wilful murder against a person or persons unknown.

THE WEATHER.

BATH, JULY 20.—The storm, on Friday last, exceeded, in awful phenomena, any one remembered for many years past. Unlike the tempests of the milder zones, the thunder was remarked to roll in one continuous roar, for upwards of an hour and an half, during which time, and long afterwards, the flashes of lightning followed each other in the most rapid and uninterrupted succession. But the most tremendous circumstance attending this elemental tumult was the destructive hail-shower which accompanied its progress. It may be doubted, however, whether such a name be applicable to this extraordinary phenomenon;

since the masses of ice which fell on the places where the tempest most fiercely raged, bore no resemblance to hail-stones, in formation or magnitude, most of them being of a very irregular and polygonic shape, broad, flat, and ragged; and many of them measuring from three to nine inches in circumference. They appeared like fragments of one vast plate of ice, and broken into small masses in its descent towards the earth; and many of these large and solid pieces were the next morning brought to this city. The tempest arose in the south-west, and, spreading to the north-west, gradually died away in the north-east; from which quarter it was opposed for nearly its whole continuance by a strong breeze, peculiarly hollow and mournful in its sound. The city of Bath was particularly fortunate in having escaped the ravages of the storm, though its destructive violence was severely felt in the neighbourhood.

A very valuable horse, belonging to Mr. Hyatt, Solicitor, of Shepton-Mallet, was struck dead in the field.

Wm. Simpkins, while mowing with two other men in a field, belonging to Mr. Rumbell, of Littlecot Farm, Hilmarton, Wilts, was killed by the lightning, which also struck down his companions, but they recovered after a short time.

At Bristol the storm was peculiarly violent.

At Tetbury, and its neighbourhood, some houses were set on fire; and 23 panes of glass broken to pieces in the green-house of H. Biedermann, Esq.

At Gloucester, a fire-ball burst about eleven o'clock, in the College-green, carrying away one of the pinnacles upon the west end of the Cathedral. Two cows were killed in a field at Sneedham-green, in the parish of Upton Saint Leonard's, near Gloucester; and ten couple of ducks were killed in the fold-yard of a gentleman near Cheltenham.

In the park of Earl Digby, near Sherborne, the limbs of a large oak tree were shivered to pieces, while the middle part, or heart, was left standing: two sheep were killed under another tree. The hail-stones which fell at Milborne Port, Poinington, Yarington, Corton, and other places, were of a magnitude exceeding any before heard of, to the destruction of windows, cucumber-frames, &c.

NEWCASTLE, JULY 19.—The heat was so intense on Wednesday last as to occasion the thermometer to rise to 84 deg. in the shade, and at nine o'clock in the evening it was at 78, being two degrees above the usual summer height. In a garden in the neighbourhood of this town, the nails which fastened the tender extremies of the branches of peach and nectarine trees to the walls, were heated to such a degree as to occasion them to be burnt in several places. According to the following account, the heat has not been near so intense here as at Hull and its neighbourhood:—"Wednesday last was one of the hottest days ever remembered here. In different situations in the town, the thermometer stood at from 89 to 92 deg. in the shade; and in the sun it was upwards of 120 deg. So intense was the heat, that one married woman, of the name of Watson, having gone to work in the hay-field, was taken ill and compelled to lie down in the field, hoping to regain a little refreshment; her companions, after leaving her a short time in that situation, on their return, found her quite lifeless. Several persons were obliged to be taken away out of the fields in carts to their respective homes. At Dunnington, a man of the name of Richard Taylor, employed in making hay, dropped down dead in consequence of the heat. At Sigglesthorne, the honey in several bee-hives was entirely melted, and ran out upon the ground, and most of the bees were drowned in it. At Rowley, a dog died from the great warmth; and some birds flying over this town, dropped dead in the streets. Another woman also died in consequence of the heat, at Rigemont.

A few nights since Hill-Hall, the country mansion of Sir Wm. Smith, Bart. near Epping, was broke open and robbed of furniture to a large amount.

TUESDAY'S LONDON GAZETTE.

This Gazette contains accounts of the capture of the Italian brig Il Ronco, of 16 brass guns and 100 men, by the Unite, Capt. Campbell; and also of Le Grand Napoleon French privateer, of four guns and 38 men, by the Pylades, Capt. Bligh, who likewise captured a French tartan, bound for Tripoli, with 700 musket-barrels on board.

BANKRUPTS.

D. Bloom, Trowse Millgate, Norwich, merchant, to surrender July 27, Aug. 3, 30, at the King's Head, Norwich. Attornies, Messrs. Foster, Son, and Unthank, Norwich.

R. Bell, Newcastle-upon-Tyne, linen-draper, July 28, 29, Aug. 30, at the Crown and Mitre, Carlisle. Attorney, Mr. Clennel, Staple-Inn, London.

DIVIDENDS.

Aug. 17. J. Cross, Liverpool, milliner.—Aug. 9. J. and G. Hebert, Grange-row, Southwark, tanners.—Aug. 9. J. Graff and P. D. Foley, Tower Royal, merchants.—Aug. 9. W. and J. Beatson, St. Mary-hill, merchants.—Nov. 5. J. Lodge, London-wall, carpenter.—Aug. 9. H. Clemoe, Falmouth, merchant.—Aug. 9. T. Starey, Newgate-street, linen-draper.—Aug. 9. T. Herbert, Barnard-street, merchant.—Aug. 13. J. Coles, Banbury, Oxfordshire, mealman.—Nov. 15. R. Poole, Ratcliff-highway, linen-draper.

SATURDAY'S LONDON GAZETTE.

BANKRUPTCY SUPERSEDED.

T. Renfree, Falmouth, Cornwall, cordwainer.

BANKRUPTS.

H. B. Oliver, Brampton, Camberland, cotton-manufacturer, to surrender Aug. 1, 2, Sept. 3, at eleven, at the Bush, Carlisle. Attorney, Mr. Mounsey, Staple-Inn, London.

W. Huithwaite, Nottingham, mercer, Aug. 5, at five, 6, Sept. 3, at eleven, at the Feathers and Punch Bowl, Nottingham. Attornies, Messrs. Coldham and Enfield, Nottingham.

J. Stinchcombe, Bristol, cabinet-maker, July 26, Aug. 20, Sept. 3, at eleven, at the Bush Tavern, Bristol. Attorney, Mr. Stephens, Bristol.

W. Calvert, Maryport, Cumberland, mercer, Aug. 8, 9, Sept. 3, at eleven, at Mr. Jackson's, innholder, Maryport. Attorney, Mr. Hodgson, Whitehaven.

DIVIDENDS.

Aug. 23. T. Berry, Fleet-street, man's-mercer.—Aug. 3. T. Law, Lancaster, merchant.—Aug. 27. J. Thompson, Hand-court, Upper Thames-street, wholesale-stationer.—Aug. 20. S. L. Payne, 'Change-Alley, hatter.—Aug. 16. J. P. Woolley, Walham-Green, Middlesex, brewer.—Aug. 17. J. Hesketh and W. Jones, Liverpool, grocers.—Aug. 13. H. Pedlar, Bath, woollen-draper.—Aug. 20. J. Snawdon, Plymouth, draper.—Oct. 22. M. Layton, White Hart-row, Kennington, stone-mason.—Aug. 13. W. Day, Cheapside, man's-mercer.—Aug. 16. T. Luckhurst, Canterbury, draper.—Aug. 22. J. Heskin, Liverpool, straw-hat-manufacturer.

CERTIFICATES—AUGUST 13.

G. Jackson, Swithin's-lane, merchant.—J. Wilkins and T. Lacy, Basinghall-street, factors.—J. Morgan, Enfield Highway, farmer.—J. Noble, Kensington Gravel Pits, brewer.—D. Johnston, Brown-street, Hanover-square, smith.—J. Bland and J. Satterthwaite, Fen-Court, insurance-brokers.—Wm. Steel, Brentford, linen-draper.—B. Hoddinott, Bruton, Somerset, linen-draper.

PRICE OF STOCKS YESTERDAY.
Consols ....68⅜ ½ | Red. Ann...69⅛ | Ommium..3,

THE EXAMINER.

London, July 24.

The accounts from Spain continue to be of a most encouraging nature. Dispatches were received yesterday morning by Government, which state that St. Andero has been evacuated by the French; that a great battle is shortly expected near Bilboa between the Asturian army and Marshal Bessieres; and that Joseph Napoleon has entered Biscay, but is sufficiently slow in his progress. In the mean time, though Government have not thought proper to publish any of their intelligence, every account seems to confirm the early news of the week. Palafox claims an entire victory over General Lefebvre, at Saragossa, where the French army, 18,000 strong, is said to have been annihilated to a man. Dupont has not surrendered, but a reinforcement sent him from Madrid is said to have returned with the loss of a hundred waggons and a thousand prisoners. General Cuesta is marching for Madrid, and the English General Spencer has advanced with his corps to Xeres. The whole of Spain in fact is in angry activity, and it is no wonder that the new King travels with so leisurable a dignity. It is surprising however that the Biscayans, who for their hot spirit may be called the Welsh of Spain, have suffered him to proceed at all. His brother is no doubt forming some immense and outrageous plan for the reduction of the patriots. He seems to have been unable to contain his revenge in the very Constitution he has just been framing for Spain: if there can be any Englishman indeed, whom long habit and a sort of political *first blue* still inclines to this unhappy man, he has only to read this new Code to be convinced of his tyrannical propensities. It is evident that Napoleon miscalculated the energies of the humiliated Spaniards; his troops are scattered throughout the country in such small bodies, that they must inevitably be destroyed. It is a melancholy sight for the philosopher, who considers the effect of long success on the virtues of his fellow creatures, to behold the very men who once bled so profusely for liberty, dying an ignominious death in the cause of oppression.

The Portuguese seem to have caught the true fire from their neighbours. Sir Arthur Wellesley sailed from Cork on Tuesday week for Lisbon, where Junot and the Russian fleet are in the same jeopardy as Dupont. The Portuguese are every where in arms under their Priests and Bishops. Positively it would seem, that the Clergy make the best soldiers and statesmen in Europe: there are not only the Reverend the Captains and Presidents of Spain and Portugal, but there is the Ex-Bishop his Serene Highness the Prince of Benevento, who is reckoned the best politician in Europe, and there is his Royal Highness the Bishop of Osnaburgh, who is certainly the greatest General. Fighting does not usually make people religious, but religion, it cannot be denied, very often makes people fight. It is to be hoped, that our troops in Spain will keep a grave face, when the Patriots are attributing their victory at Saragossa to the miraculous interference of Our Lady of Pilar.

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Dispatches received yesterday morning at the Admiralty, from our squadron cruizing off the Northern Coast of Spain, dated the 15th inst, contain the following gratifying intelligence:—

"It appears that General Ponte, who commands a division of the Patriotic Army, having formed the plan of retaking St. Andero, advanced towards it with between three and four thousand men, and concerted a plan of attack with some of our ships of war that were cruizing off the coast. The French in St. Andero, about 1600 men, did not, however, think it prudent to wait for an attack, for, about two o'clock in the morning of the 12th instant, they evacuated the town, having first levied a heavy contribution on the inhabitants, and destroyed all the arms in the place.

"The part of the Asturian force under General Ponte and the Bishop of St. Andero, amounts to about 18,000 men, but the whole Asturian army amounts to above 40,000 men; and it was generally expected that an action would take place between it and Marshal Bessieres's army, which amounts to about 16,000 men, near Bilboa. Gen. Cuesta had advanced to Villepande, and had taken possession of the bridge at Mayorca, and on the Seco; his intention was to make an attack upon Valladolid, in which there was a small French force, for the purpose of cutting off all communication between Burgos, at which there was a French corps of 18,000 men, and at Madrid.

"Murat still remains entrenched at Reteiro, with about 5000 men. Joseph Bonaparte has at length ventured into his new dominions; he entered Biscay the beginning of this month, with about 4000 men; he was at Bilboa on the 9th, at Toloso on the 10th, and when the last accounts came away he was at Vittoria. He was apparently afraid to proceed farther, from the cool and contemptuous reception he every where met with."

PRIVATE LETTERS.

"*Cadiz, 7th July*, 1808.

"The news we daily receive here is of the most favourable description. From the French frontier to Saragossa more than 17,000 Frenchmen have perished. At Saragossa upwards of 12,000 were killed by the sword, and those which were saved from the fury of our troops, effected it only by flinging themselves into the River Ebro.

"It is impossible that a single man of Dupont's army can escape, although that General has not yet surrendered. A reinforcement of 5000 men, which were on their march to join him, have been beaten, and compelled to return to

Madrid, from whence they began the march. They lost 160 waggons laden with ammunition, and had upwards of 1000 men taken prisoners. From one moment to another we expect to hear of Dupont's unconditional surrender; for although he has entrenched himself in Andujar, yet we know he is in the greatest distress for provisions, and cannot hold out long; nor can his army, which it is generally believed does not exceed 7000 men, effect any thing against that by which it is surrounded. He has already offered to capitulate, on being allowed to return to France, with the liberty of taking with him four covered waggons.

"The French are beaten in every direction; General Moncey, who was sent against Valencia with 12,000 men, has been defeated, himself killed in the action, and we are assured, that scarcely any of this army have escaped.

"Another body of the French have been destroyed in Valdepenas, and about 3000 more at Valladolid, which city they attempted to pillage.

"The official news of the compleat destruction of the French at Saragossa, by General Palafox, has been received here.

"General Cuesta was on his march to Madrid, where it was believed there was not more than 4000 French troops.

"We have been somewhat surprised to read in the Madrid Gazette, of the 1st July inst. (which has hitherto been considered an Official Journal), an account of Dupont's army having taken Cordova, Carmona, Utrera, Sherrys, and Port St. Mary's, and that conjointly with the French fleet, he was bombarding Cadiz, and that he had summoned the place, threatening an immediate assault, if not surrendered. Was there ever such a base and infamous expedient resorted to, to impose and keep in the dark that part of Spain, which is still under the dominion of France, or the world in general."

"*Gibraltar, June* 26.

"The Spanish arms go on most prosperously in this and the adjoining provinces. Dupont's army of 15,000 men has begun its retreat from Cordova, to join Murat at Madrid; after losing nearly a third of its numbers, by desertion, sickness, or being cut off by the natives, who destroy every party that ventures from the main body. General Castanos is in pursuit of Dupont's division, with nearly 20,000 men. All the passes in the mountains are occupied, and his destruction is considered as inevitable. The total of the French force in Spain does not now amount to above 40,000 men—it never exceeded 60,000; and was always greatly exaggerated, to awe the natives; and we have certain accounts of more than 18,000 having been cut off, or taken prisoners, since the commencement of hostilities against them by the Spaniards.

"The French have been guilty of the most inhuman cruelties and excesses in Spain, particularly at Cordova, where every house was ransacked for three days. Even the churches were plundered, and converted into stables. Many of the inhabitants were murdered at Cordova, in attempting to protect their wives and daughters against the brutal violence of the soldiery. The hatred of the Spaniards in return amounts to almost a frenzy; their officers can seldom save a single French prisoner alive. All the plunder collected by Murat in Madrid, and by Junot in Portugal, has been intercepted by the Spaniards at Navarre, and the French cut to pieces who escorted it."

The Orestes has brought official advices from Lord Collingwood and Major-General Spencer. The dispatches reached town early on Monday morning, and their substance was soon after made public by the following Bulletins:—

"*Downing-street, July* 18.

"Advices from Lord Collingwood of the 26th June state, that accounts had been received that Dupont was in great distress—surrounded on all sides, and disappointed of reinforcements he expected. On the 16th he retired six leagues behind Cordova—the Spanish army advanced.—Intelligence had arrived that Dupont had proposed to capitulate, if allowed to pass into France unmolested; but nothing short of unconditional surrender would be accepted. Dupont had retired to Andujar. Castanos's out-posts were at Aldea de Rio, within two miles of the enemy's rear. The whole regular force under Castanos amounts to 21,000 infantry, 2,500 cavalry, and a formidable train of artillery."

"*Downing-street, July* 18.

"Letters have been received at this Office from Major-Gen. Spencer, off Ayamonte, dated the 25th and 26th of June. The Major-General was on his return off Cadiz, from off the Southern coast of Portugal, where he left the Portuguese flag flying along the whole extent of coast of the province of Algarva, in all the forts and batteries.—The Spanish frontier on the side of Ayamonte, had remained perfectly secure since the British force had approached that coast, and the detachments of the enemy's force, which, on Gen. Spencer's arrival, had retired to Villa Real and Castromarin, have since surrendered themselves with the above-mentioned places to the Portuguese troops."

The Gloire frigate is arrived at Portsmouth from the fleet of Sir C. Cotton.—The following is an extract of a Letter from an Officer on board:—

"We have just come in from Lisbon. Political affairs wear a more pleasing aspect than they have done for a number of years past. The French army, which is estimated at little less than 10,000 men, is completely hemmed in at Lisbon; and all those I have conversed with upon the subject have no doubt will fall an easy prey to Gen. Sir A. Wellesley, whose fleet of transports we fell in with at sea, on Sunday, the 17th inst. off Scilly.

"The brave Sir C. Cotton has summoned the Russian fleet in the Tagus to surrender to the British flag; but, strange to say, the Russian Admiral, in his answer, discovered much violence, as well as national and individual enmity to Great Britain, and declared he would rather burn every ship under his command than surrender them. I have the pleasure to say we landed great quantities of arms and ammunition at Lagos Bay, and Oporto, for the use of the brave Spaniards. We are now in possession of some batteries. Sir C. Cotton has nine sail of the line lying under the Rock, the crews of them are waiting with the greatest anxiety possible to be brought into action.

"The Russian fleet, lying in the Tagus consists of *nine sail of the line and one frigate.*

"We were informed at Lisbon, that the English and Spanish fleets were lying together at Minorca.

"We have brought to England Rear-Admiral Obuay, together with a great number of French prisoners, taken by the Portuguese. Among them is that celebrated character, Mon. Prigny, Commandant of the French Marine at Oporto; he is distinguished as a Member of the Legion of Honour; he was Captain of the Fleet in the memorable Battle of Trafalgar, in which he signalized himself. We have likewise Mon. Guimbaud, the late French Consul at Oporto, whose house was completely gutted by the populace at Oporto, himself made prisoner, together with the Commandant of Marine, and a vast number of officers of

the French army. There is little or no doubt, either of the taking or the destruction of the Russian fleet; in fact it appears inevitable."

The minds of the people of Portugal are represented as most bitterly exasperated against the French. At St. Ubes, the inhabitants had risen and massacred all the French they could lay their hands on. General Loison had been attacked by the patriots, and compelled to take refuge in Duero. Gen. Bernardine Friere is now at the head of the Portuguese army in the North of Portugal. Not a single fort or town in Portugal remained in the possession of the French, Lisbon excepted, where Junot, with 10,000 men, had fortified the hills which command the city, and had possession of the forts; but his surrender was expected to take place shortly, as he was cut off from all hope of receiving relief. Four regiments of Portuguese and Spanish cavalry, 5000 Portuguese and 11,000 Spanish infantry (regular), and armed peasantry to the number of 50,000 had marched from different parts of Portugal towards Lisbon. Two hundred thousand pounds, part of the exacted contribution of the French, in Oporto, had been discovered and secured by the Provisional Government, in the house of Josef de Souza Mello. Other large sums have been secured in two other houses, raised by similar exactions.

Yesterday Paris Papers were received to the 6th inst. They are chiefly filled with English news. The mission of Sir T. Dyer to the Spaniards, is remarked on in a tone of sarcasm, which but ill conceals the chagrin felt at the fact. The accounts from Bayonne mention that a deputation of eight had been sent from Placentia to congratulate the new King of Spain. Madame Murat had arrived at Bayonne, and taken a house near the Bridge, from which it may be inferred, that she looks forward to residing there some time. Her husband had not arrived, but was hourly expected. Bonaparte was to leave Bayonne, *for the purpose of surveying the Coast of France.*

Three Gottenburgh Mails have arrived. The accounts by this conveyance repeat the intelligence of the extensive warlike preparations now making by Austria; and it is reported at Gottenburgh, that the object of the King of Sweden's journey to Finland, is to concert with the Emperor of Russia a new coalition against France, to which the Emperor of Austria is to accede, and join all his forces in the common cause.—There has been some more skirmishing in Finland, in which the Swedes have been uniformly successful.

The wind having shifted round, General Moore's army, from the Downs, all got to Portsmouth on Wednesday evening. The General Officers there are, Generals Sir John Moore, Fraser, Hope, Murray, Paget, Sontag, and Stewart. The command of the army is at present in the hands of Gen. Sir H. Burrard, of the Guards; Lord Paget, and General Sontag, of the German Legion, have likewise been appointed to Brigades in it; but, to the joy of the army, those highly esteemed Officers, Sir John Moore and Gen. Hope, remain with it. The Hon. General Stewart, is appointed Deputy Adjutant-General to it; and Lord Proby is on the Staff.

The Bulletin circulated from the Foreign Office on Tuesday evening, stating the defeat of Gen. Lefevre by the Spaniards, was not authorised by Government. The Clerks in Government Offices should act with more caution, for if these practices are continued, it will be impossible for the Public to believe such publications even when issued from authority.

It is stated that the *Gendarmerie Sedentaire* have been marched from Paris to Spain, a measure which has not been before adopted in the whole course of the revolution. The duty of this corps is to maintain the police of the roads, and it is just as extraordinary to hear of their being marched off to the army, as it would be, were the London *Watchmen* to be formed into corps and sent on foreign service.

The French and Spaniards seem to be waging a war of extermination. No quarter appears to be given in their regular battles, and the Spanish mob disgrace themselves by their monstrous cruelties. The French Consul and a Merchant at Malaga were murdered by the populace in the most barbarous manner: they were actually hewn piecemeal and the fragments thrown into the flames! It is however proper to add, that the Spanish Leaders endeavour to prevent such disgraceful scenes.

On Wednesday two waggons, loaded with dollars, were taken from the Bank to proceed to Portsmouth, and be forwarded from thence to Spain.

About six tons of hats, cockades, and shoes, have been sent off from London to Gijon, for the use of the Spanish Patriots.

It is said that several regiments of Volunteers have offered to extend their services to any part of Spain. The 1st Brigade of Guards, now at Deal, which lately returned from Sicily, have likewise petitioned to be sent to assist the Spaniards, and in consequence, the 2d Brigade of Guards to be in readiness for an immediate embarkation, has been countermanded.

Mr. Duff, who for upwards of 50 years has been British Consul at Cadiz, and who returned in consequence of the entrance of the French into Spain, has been desired to hold himself in readiness to return to his Consulate. Mr. Frere will proceed to Seville, as Ambassador to Spain, by the same conveyance.

A letter from Seville, of the 4th of July, states, that 5000 British troops were hourly expected at that place, for whom quarters had been provided.

Government has issued orders for the immediate shipment of 10,000 barrels of powder, for Spain; each barrel is to weigh 100lb. weight.

Among the perfidious expedients resorted to by Gen. Murat, he has caused letters to fall into the hands of the Patriots, in which it is stated that their Chiefs are in correspondence with him, in order to induce them to put their officers to death, in which case they would become a mere undisciplined multitude, and their subjugation would be rendered an easy task. His plan has, however, been timely discovered, and the necessary means adopted to frustrate his diabolical design.

It is reported that Bonaparte, in answer to the late representation of the American Government, has declared that he will rescind his Decrees against Neutral Commerce, if Great Britain will rescind her Orders in Council.

The Duke of York.—Some persons affect to think that the Duke of York, our "illustrious Commander in Chief," has not solicited the command of the army destined for Spain; and others affirm, that no Minister dare employ his Royal Highness in such a capacity. But it should be recollected that even Mr. Pitt himself could not prevent the Duke from following the gallant Abercrombie to Holland, though it is sufficiently known that it was in complete opposition to his wishes. Mr. Pitt loved place and power, and why may not the Duke of Portland and Mr. Perceval? It was in 1793, that the news reached St. Petersburgh that the Duke of York had been appointed to the chief command of the British Army on the Continent. The sagacious Catharine observed on this occasion, "*I see plainly that Mr.* Pitt *loves his place better than his country.*"

A gentleman arrived from Port-au-Prince, *via* Jamaica, states, that in May the Northern and Southern armies in Hayti, under the respective commands of the rival Chiefs, were engaged for four days, near 'Gro Morn, in the department over which Christophe exercises authority. The result was, that 1600 of Christophe's party were killed, and 600 taken prisoners; and Petion, at the head of 16,000 men, was marching for Cape Francois. Christophe had made his escape from the field of battle, and was supposed to be at Fort Milo, a distance of five leagues from the Cape.

Lord Erskine has sold his house, in Lincoln's-Inn-fields, to Serjeant Best.

At Lord Elgin's house, on Friday last, a number of artists studied the vigorous form of Jackson the Pugilist in comparison with the Theseus and other admirable antiques brought by his Lordship from Athens.

Mr. Grignion's situation is now before the Public. His friends presume that a Gentleman who has passed a very long and valuable life in assisting to perfect the Art of Engraving, and who, at the great age of 90, has fallen into honourable poverty, with a wife and almost sightless daughter to shelter and maintain,—will not be suffered long to fear that he may end his days in the gloom of a prison, with the prospect of which he is at present threatened. A subscription is on foot, but the prompt aid of the admirers of merit is indeed wanted to cheer the last moments of this venerable Artist.

If the Professor of Architecture much longer omits to give a Lecture, we shall not much longer omit to give him one.

Another elopement between parties whose situations in life are such as should afford a contrary example, took place on Monday last, from the vicinity of Egham. A lady, 26 years of age, once the toast of Tiverton, who was married in August 1800, and who is the mother of six children, absented herself from her home on Tuesday last, with Mr. Y. a Gentleman of fortune in Bucks. The gallant, as is generally the case, was the intimate friend of the husband, and, by his repeated visits, succeeded in seducing the affections of the Lady. Mr. Y. was formerly a brother officer in the same regiment with the husband, who is with his corps, and had taken apartments in Surrey for his wife but three weeks ago. The fugitives have not yet been heard of.

On Thursday a young lady, residing near Peckham, threw herself into a fish-pond, and would inevitably have been drowned, had not one of the footmen immediately run to her assistance, and quickly brought her out. Medical aid being on the spot, she, to the no small joy of her disconsolate relations, was happily restored. The cause of this attempt is not known.

A melancholy event took place on Thursday at the Custom-house. A Gentleman who has long been at the head of one of the departments in that Office, put a period to his existence. He first went to Sam's Coffee-house and called for a glass of brandy, which having drank, he retired to an apartment and blew out his brains with a pistol-shot.

The Earl of Shaftesbury being taken ill in Italy, he stopped at an inn and fancied he could eat some veal: it was Lent, and the landlady would not dress meat without a dispensation. She applied to a Priest, who granted the dispensation, saying, his Lordship might eat meat *and be damned.*

Coquetry.—Poppæa, the wife of Nero, used to cover a part of her face, in order to raise an high idea of her beauty. "*Velata oris parte, ne satiaret aspectum,*"—veiling part of her face, that she might not glut the eyes of the spectator with her charms.

The Duke of Portland, the wise and vigorous *Prime Minister* of this great nation, certainly merits the titles given by Swift to the Emperor of Lilliput:—

"Terror of the Universe!
"Minister of Ministers!
"Taller than the sons of men!
"Whose feet press down to the centre,
"And whose head strikes against the Sun!
"At whose nod the princes of the earth shake their knees:
"Pleasant as the Spring!
"Comfortable as Summer!
"Fruitful as Autumn!
"Terrible as Winter!"

RETALIATION.

If Eve in her innocence could not be blam'd,
Because going naked she was not ashamed,
Whoe'er views the ladies, as ladies now dress,
That again they grow innocent, sure will confess,
And that artfully too they retaliate the evil,
By the Devil once tempted, they now tempt the Devil.

COURT AND FASHIONABLES.

The Duke of Kent has presented her Majesty with two beautiful bay ponies, to be kept at Frogmore, for the purpose of drawing her Majesty about the delightful grounds and gardens there.

On Wednesday his Majesty arrived at the Queen's Palace from Windsor. At three o'clock his Majesty received a private Levee, which was attended by a Deputation from the Corporation of the City of London, to present the following Address:—

TO THE KING'S MOST EXCELLENT MAJESTY.

The Humble, Dutiful, and Loyal Address of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.

MOST GRACIOUS SOVEREIGN,

We, your Majesty's loyal Subjects, the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, with hearts full of dutiful affection to your Royal Person, and inseparably attached to

the honour and prosperity of your Government, humbly desire to approach your throne, and represent to your Majesty the sentiments of a free and faithful People.—While we contemplate with horror and indignation the atrocious perfidy and wanton violence employed by the Ruler of France, to reduce under his yoke the Spanish Monarchy and the Spanish People, we cannot refrain from expressing our joy and exultation at the pure and animating spirit of patriotism displayed by that high-minded and gallant nation, in defence of their dearest rights and privileges. They have appealed to the generous feelings of your Majesty for protection and support, and they have not appealed in vain. You, Sire, have felt as the Sovereign of a free people, who, by extending his powerful aid to a nation struggling for liberty and independence, holds forth to the world a happy and practical illustration of the blessings which his own subjects enjoy. The solemn Declaration by which your Majesty has been pleased to recognize the Spanish Nation as a mutual friend and ally, against the common enemy of all established Governments; the frank, disinterested, and inspiring pledge which you have given, that you have no other object than that of preserving unimpaired the integrity and independence of the Spanish Monarchy; the wisdom, liberality, and promptitude of the measures consequently adopted by your Majesty's Government, have excited in our breasts the most lively and grateful sensations. We have to entreat your Majesty's acceptance of our most cordial thanks for the noble and liberal system of policy by which your Councils have been and continue to be actuated towards Spain; and we beg leave to assure you, that in contributing to the success of your Royal interposition in a cause at once so great and glorious, and so peculiarly congenial to the spirit and feelings of your People, no exertion shall be withheld, no sacrifice shall be spared on our part, to prevent twelve millions of fellow-freemen from being accursed with the most galling and profligate despotism recorded in the history of the world. In the measures which your Majesty may think proper to adopt for accomplishing this great end, you may, Sire, rely with the firmest confidence upon the affectionate, zealous, and enthusiastic support of your Loyal Citizens of London. We feel ourselves identified with the Patriots of Spain; we sympathise in all their wants; we participate in all their wishes; and we humbly beg leave to express our fervent hope, that the glorious struggle in which the Spanish Nation is engaged, aided by the energies, resources, and magnanimity of the British Empire, may succeed, not only in asserting the independence of the Spanish Monarchy, but in ultimately effecting, under the protection of Divine Providence, the emancipation of Europe, and the re-establishment of the blessings of Peace."

To which Address his MAJESTY was pleased to return the following most Gracious Answer, which was read by Lord HAWKESBURY:—

"I thank you for your very Loyal and dutiful Address. I accept with pleasure your congratulations on the prospect opened to the world by the brave and loyal exertions of the Spanish Nation, against the tyranny and usurpation of France, and on the re-establishment of Peace between Great Britain and Spain. In aiding the efforts of the Spanish Nation I have been actuated by no other motive than that of affording the most effectual and disinterested assistance to a People, struggling for the maintenance of *their ancient Government* and National Independence. I have no doubt I shall continue to receive from you and from all classes of my People the same zealous and affectionate support which I have experienced on so many and on such important occasions."

They were all received very graciously, and had the honour to kiss his MAJESTY's hand. After which the Deputation retired, when the following had the honour of being presented to his MAJESTY:—

Capt. Sir C. Brisbane, upon his receiving the honour of Knighthood abroad; Capt. Gore, upon his return to England, by Lord Mulgrave: the Rev. Dr. Plumbtree, by the Earl of Bathurst, upon his being appointed Dean of Gloucester.

His MAJESTY set off on his return to Windsor about six o'clock.

THE BAR.

TO THE EDITOR OF THE EXAMINER.

SIR,—In the late case before the Sheriff's Court, after it had been clearly proved that Sir A. Paget had deliberately seduced a wife from the arms of a faithful and affectionate husband, Mr. Garrow, in his defence of the culprit, had the boldness to affirm, that the seducer was a "*high-spirited* and *noble-minded*" Gentleman! It is certainly not necessary to argue this point, for the Public is not yet so lost to truth and virtue as to mistake baseness for honour: but I think I may be permitted to observe, that of all men at the Bar, Mr. Garrow is probably the last from whom we should look for a definition of a "*high-spirited* and *noble-minded*" Gentleman. That he should bestow such epithets on a man who had voluntarily confessed his guilt, and who thus appeared not quite so shameless as to attempt a defence of his conduct, is a proof, I think, if any were wanting, that Mr. Garrow at times is deficient in judgment as well as modesty.—What! can *Mr. Garrow even* think that man "*high-spirited* and *noble-minded*," who would basely take advantage of a woman's weakness to tempt her to her own undoing,—who, to gratify his own selfish passions, would condemn the woman he *pretended* to love to a life of reproach and infamy? Can Mr. Garrow think that it was "*high-spirited* and *noble-minded*," in Sir Arthur to sneak about the house of a Nobleman, like a lurking depredator, watching his opportunity to rob him of his choicest treasure, and thus to inflict a double and deadly wound upon an affectionate husband and an innocent child? This may indeed be Mr. Garrow's opinion of Sir Arthur's conduct, but this is certainly not the opinion of the wise or the virtuous.

Mr. Garrow talked a good deal about the baneful effects of *fashion*, and I am not all disposed to controvert his assertions respecting its pernicious effects. It doubtless has become the *fashion* to set at defiance many of the decencies of life; but there is yet, Mr. EXAMINER, a *fashion* which I for one should have no objection to see created, which is, that when a Counsel had for hours taken up the valuable time of the Court in attempting to put down right and establish wrong,—when he had endeavoured to set at nought the established precepts of justice and morality,—and when he had wantonly, illiberally, and cruelly outraged the feelings of many a witness, female as well as male, by a string of irrelevant, impertinent, and ungentlemanly questions,—such Counsel, on retiring from Court, should find it the *fashion* every where to be held in utter and undisguised *contempt*, and even on *particular* occasions to be chastised by the often-deserved punishment of a twisted nose.

I have the satisfaction to be, Mr. Editor, your constant reader,

J. O.

Brompton, July 21, 1808.

FOUNDLING HOSPITAL CHAPEL.

TO THE EDITOR OF THE EXAMINER.

SIR—The severity of your strictures on Methodism does not deter me from animadverting on the anomalous ceremonies which *sometimes* take the precedency of rational devotion, *even* in the Established Church, convinced as I am that the principles on which your Journal is conducted have for their basis a liberality of sentiment, divested of the partial operations of prejudice.

Amongst the numerous instances of religious extremes which daily present themselves, one instance very recently came within my observation, at the Institution of the Foundling, whither I was induced to accompany a young Gentleman from North Britain, with a view, as the phrase is, "to hear the *singing*." I am not now disposed to enter into a discussion on the propriety of this Establishment; neither have I the smallest disposition to prejudice the public mind against it; my only object being to point out what I consider a violation of public devotion, which might be very easily remedied. I allude to the manner in which Church Music is here conducted. Solos on the organ are performed, with all the musical flourishes (unaccompanied by any *vocal powers*) which could possibly feast the ear in the representation of *Oscar and Malvina*, at Covent-Garden Theatre. Indeed, during this grand refining away of all devotional solemnity (one solo lasting nearly 20 minutes), I once doubted whether I was in a place of worship or a theatre, and was on the eve of joining the *audience* (congregation I mean) in testifying the usual *tokens of applause*, until suddenly recovering from my surprise, I beheld a pulpit instead of a stage. A certain portion of the Litany next engrossed the attention of the congregation, which was shortly succeeded by a *trio*, then a *quartetto*; the charity children acting as *chorus singers*. That all this may be very *entertaining* to the *great folks* who patronize and attend this Institution, I have not the smallest doubt; but that it is a flagrant violation and base perversion of religion, and consequently incompatible with real devotion, is the firm opinion of Yours, &c.

Tuesday, July 9, 1808. PHILO-RELIGIO.

NORTHERN EXPEDITION.

EXTRACT OF A LETTER FROM THE DOWNS, DATED JULY 14.

"We have just arrived here, after a very tedious passage. It will, no doubt, appear surprising that the Expedition should return so soon, but the whole business has been of a most singular nature. On the 27th ult. an order came out, directing every officer on shore at Gottenburgh to repair immediately on board, as Sir John Moore was hourly expected from Stockholm. On the 29th he arrived in a very singular manner at Gottenburgh, dressed in coloured clothes, and instantly repaired on board. It appears, he had been arrested at Stockholm, by the King, and had escaped therefrom in disguise. The reason for this outrage upon civilized society is not certainly known, but generally imagined to be owing to Sir John's differing in opinion with Gustavus about our going to Zealand, which he wished us to do. Immediately upon Sir John's arrival on board he called all the Generals together, when, it is said, he stated all that had passed, with his determination immediately to return to England. This news was directly circulated through the fleet, with strict orders for no officer or private, on any account, to go on shore.

"It is said the King wished Sir John to go against Zealand with his small force, aided by a large Swedish army, the whole to be commanded either by the King, or some Swedish General. Sir John is made to say, he had no objection to serve under his Majesty, but would not consent, on any account whatever, to place the British force under any Swedish General. Upon this Sir John was ordered to his room, and not to leave Stockholm without the King's permission. He found means, however, to escape with a King's Messenger in disguise—leaving behind him Col. Graham and Major Colbourne, his Aid-du-Camp and Military Secretary, who had not joined us when we sailed. On the 3d inst. the wind being fair, we set sail from the Flemish Roads, where we had been lying inactive ever since the 17th May. Our fleet consisted of about 150 sail, and our convoy the Audacious, 74, a sloop of war, and a gun-brig."

LAW.

COURT OF KING'S BENCH.

Monday, July 18.

COOPER v. TWYBILL.

This was an action of Replevin, brought by the plaintiff as under-tenant under the defendant, of a public-house in Charles-street, Hatton-garden, which house Mr. Elliot the brewer, let to the defendant upon condition that the plaintiff should continue to take his beer. The lease of these premises was for 21 years, at a rent of 52 guineas per year, with a provision, that the plaintiff should take all his beer of Mr. Elliot; in default of his taking the beer, then the rent was to be raised to 120 guineas per annum, over and above the 52 per annum.—The plaintiff for a considerable time continued to take beer of Mr. Elliot, but his customers complaining repeatedly of its quality, and finding no amendment, left off dealing with him. The plaintiff then had recourse to the New Brewery, in Golden-lane, and procured a supply from thence; stuck up a bill in his window to that effect, and as a further invitation to his customers, promised to supply them at fourpence halfpenny per pot. The consequence was, that not only his old customers returned, but his business greatly increased. Mr. Elliot upon this put in force the covenant, and made a distress upon the plaintiff's goods for the penalty, viz. 120 guineas per annum, over and above the conditioned rent in taking the beer of him. The plaintiff replevied the distress, and brought his action.

The question now at issue was, whether the beer was not of so bad a quality as to justify the plaintiff in taking his beer from another person to prevent his being ruined in trade.

The ATTORNEY-GENERAL observed, that Mr. Elliot was once a candidate for Westminster—he did not succeed in that object of his ambition; that, however, was not very singular, for if his speeches had not more spirit in them than his beer, the Electors would not relish them, and therefore he could not expect to be elected.

To prove the bad quality of the beer, twelve witnesses were called, who all agreed as to the bad quality of it.—Some admitted, however, that at times it was better; while others said that it was offensive in taste and smell in the highest degree.

On the part of the defendant it was contended by Mr. GARROW, that the breach having been committed under the covenant, his client was entitled to the penalty. Mr. Elliot was the owner of the house, and therefore was interested in preserving the character of it, and consequently would not pursue a line of conduct which would injure his property.

... for Sir Arthur to refuse that protection?

Lord ELLENBOROUGH observed, that the covenant was a severe one, such as he hoped never to see introduced into other leases. The plaintiff was justified in relieving himself from the pressure of such a covenant, for if he had continued selling this beer, not only his customers would have fallen off, but the plaintiff might have subjected himself to an indictment for selling beer unfit for public use, and injurious to the health of his Majesty's subjects. He had no doubt that Messrs. Elliot and Company meant to deal fairly by their customers; but it was his duty to proceed on that which appeared to him to be evidence. If the Jury believed the witnesses, they must find for the plaintiff, for he was justified in dealing with another brewer; the covenant, therefore, was of no avail.

A verdict was taken for the plaintiff in nominal damages of 1s. which, however, necessarily implies a return of the goods distrained.

SHERIFF'S COURT.

Tuesday, July 19.

CRIM. CON.—LORD BORINGDON v. SIR ARTHUR PAGET.

This was an inquisition of damages in an action for criminal conversation with the wife of the plaintiff, in which the defendant suffered judgment to go by default.

Mr. PARK said, that Lord Boringdon, a nobleman of considerable rank and fortune, was married about four years ago to the daughter of the Earl of Westmorland.—At the time of his marriage, he was of the age of 32 years. The defendant, Sir A. Paget, was also a man of noble family, being second son of Lord Uxbridge, and had served his country in the most important situations, having been once Ambassador at the Court of Vienna, and having at another time been Ambassador at Constantinople. On account of the distinguished situations in which he had served his country, the honour of Knight of the Bath had been conferred upon him by his Majesty. These parties had, in their youth, been at the same University (Oxford), and he believed they both belonged to Christchurch. They afterwards met in Russia, when mutual civilities and hospitalities passed between them. He did not, however, find that any particular intimacy subsisted between them afterwards in this country. He believed that in the interval between the two embassies, Sir A. Paget might have dined once or twice at the table of Lord Boringdon. Lord Boringdon was a man who devoted a great part of his time to his parliamentary duties, and paid but little attention to dinner parties. In 1803, Lord Boringdon lived next door to the Earl of Westmorland, in Berkeley-square, and very soon after commenced his attentions to Lady Augusta Fane. They, however, both of them retired into the country in the summer of that year, and did not return till the year 1804, when Lord Boringdon made proposals of marriage, which were accepted. They were married on the 20th of June, 1804; and from that day to the time of the elopement, they had lived in the most uninterrupted harmony and apparent affection. There was no inequality between them in point of rank or fortune; and he trusted the Jury would not think there was any great inequality in point of age, when he stated that the Lady was 18 at the time of her marriage, and her Lord 32. If this disparity of years were, however, to be reckoned as a great inequality, the objection could not come from the mouth of the defendant, who was two years older than Lord Boringdon, he being now 38 years of age, whereas his Lordship was but 36. Until the month of May in the present year, Lord Boringdon had no reason to suspect the fidelity of his Lady, for until then he had not heard of the frequency of Sir A. Paget's visits, or of the inferences which they naturally gave rise to. It was in consequence of Lord Boringdon's speaking to her upon the subject, and pressing her to know whether these surmises were true or not, that Lady Boringdon went off the next day, and had since continued to live in a state of open adultery with the defendant. Upon this part of the case, the Jury would have no difficulty, as the defendant had confessed by suffering judgment to go against him by default. During the time that the plaintiff and his lady lived together in harmony and affection, there had been a son born, who was now living; and the birth of this son appeared still more to strengthen the bonds of harmony and affection between them. He knew that it was the constant course in actions of this nature to endeavour to turn the table upon the husband, and make him the accused person; and there was no man living in the world who reads newspapers that must not have heard and known that in the present case there was an endeavour to cover the Noble Lord with some degree of obloquy. Perhaps it might not be quite regular for him to mention this circumstance; but if he had not mentioned it, his silence would by many persons be considered as proceeding from a dread of touching upon that part of the case. He should, therefore, now say that he had investigated the circumstances of this case with all the attention that it was his duty to bestow upon it, and he could defy, and he did mean to hold out a defiance to the defendant, to bring forward an instance in the course of Lord Boringdon's married life, which would dishonour his character, either as a man or a husband. He should call a number of witnesses, persons of the highest rank and character in life, who would prove most unquestionably, that Lord Boringdon had always treated his Lady with the greatest kindness and affection. He could also produce letters written by Lady Boringdon to her husband, before there was any question of adultery, and in which her Ladyship shewed all the anxiety and tenderness of a most affectionate wife.—[Mr. GARROW whispered across the table, that such letters could not be evidence.]—He said, notwithstanding the opinion of his Learned Friend, he had no doubt but that they were evidence; and, in a former case, which from delicacy he would not name, the letters of the lady were allowed to be read in evidence. He should state the substance of those letters; and when he came to produce them, his Learned Friend might make his objection, if they were not admissible in law. The first letter was dated the 14th of April, 1806, and had the following expressions:—

"I am very sorry, my dearest love, to hear that you are not well. I was so anxious about your letter, that I was almost afraid to inquire. I have myself been unwell, and induced to take some laudanum (you must not scold me). This made me so ill, that I could not go to church last Sunday, as I intended. Do not believe that this was from neglect of your orders, or negligence of any sort: it was from the violence of my cold."

This last sentence shewed the care that the noble plaintiff had to fix in his lady those habits of morality and religion in which she had been brought up. In the same letter there was the following sentence:—"It appears to me six weeks, instead of six days, since you have left me." There was another letter, dated the 1st of April, 1807, which had the following expressions:—

"It was quite an unexpected pleasure for me to hear from you. I am quite well, and so is my dear little Henry. I hope, my dear Boringdon, you will like my going to the play, as nothing could give me pleasure that was not agreeable to you."

He thought, therefore, that there could not be a doubt remaining on the minds of the Jury, that the circumstances of the present case were those of a seduction under every species of aggravation. As to the visits of Sir A. Paget, it was quite impossible that Lord Boringdon should have known any thing about them, unless the servants told him. The defendant appeared to be always lurking about the house, to pay his visits as soon as Lord Boringdon had gone out. Independent of these visits, Lady Boringdon used often to visit at the house of a near connection of his Lordship by marriage, where Sir Arthur constantly visited. It was impossible that Lord Boringdon could have

formed any suspicion, from his Lady visiting at the house of a near relation, when part of that family was unwell. His Lady also went out often in the carriage with her child and its nurse, which was a circumstance which could not give suspicion to any reasonable husband. The carriage used to stop at the Bayswater Gate of Kensington Gardens, and her Ladyship chose the private walk, where Sir A. Paget always met her. The nurse then went one way with the child, and the defendant and Lady Boringdon went another way, and was absent usually for an hour or more. The fact of the adultery was confessed; and in estimating the damages that ought to be given, he trusted the Jury would refer to that which had ever been held the best criterion in those cases, the rank and situation of the parties. They must consider that the parties were Lord Boringdon and Sir A. Paget; and then they would consider what damages would be an ample remuneration to his Lordship for the loss of the comfort of his life, of which he had been deprived by a scene of seduction, regularly planned by the defendant. He did not ask the Jury to punish the defendant, for that was not their province; but he asked, on the part of Lord Boringdon, for an ample reparation in damages for the foul dishonour which the plaintiff had sustained. A man who, like the defendant, had been twice the representative of one of the most virtuous Sovereigns who ever swayed the sceptre of these countries, ought to have set a better example. The defendant had violated, with respect to the plaintiff, every moral obligation; and he trusted that the verdict would make Sir A. Paget and other persons in his situation of life feel that a British Jury would not suffer such acts to be done with impunity. To their good sense, integrity, and justice, he would now commit the cause of his Noble Client, and he trusted that the verdict would be such as reason, justice, morality, and religion demanded of them in such a case.

Lord Amherst, the Hon. Mr. G. Villiers, Dr. Vaughan, Sir W. Elford, and the Rev. Mr. Hayne, proved that Lord and Lady Boringdon always appeared to be on the most affectionate terms, and that his Lordship always treated her with the utmost kindness.

Elizabeth Croft was nurse to Lord Boringdon's child. Her Lady often went with her and the child in the carriage to Kensington Gardens. The carriage always stopped at the Bayswater Gate, and when they got into the gardens, they were always met by Sir A. Paget. She and the child walked on, and her Lady and Sir Arthur separated from them, and were generally from three quarters of an hour to an hour and a half before they joined them. Her Lady then returned to the carriage with her, and drove home.

Sarah Porter was Lady Borringdon's maid for near five years. She had never seen the Defendant and her Lady together at the house in town, but she knew that he visited frequently in the absence of his Lordship, and had seen him more than once come out of the house.

William Radman was porter to Lord Boringdon for the last five years. He frequently opened the door to Sir A. Paget, who generally *bolted* up stairs (as the witness expressed himself) without asking whether Lady Boringdon was at home or not. He sometimes enquired for her. These visits were always paid when his Lordship was out, and the Defendant generally staid there for an hour or two at a time.

Mr. GARROW said, he entirely agreed with his Learned Friend, that the Jury were not sent there to inflict a punishment on the Defendant, and that they had no right to consider themselves in the state of censors of the public morals. He wished, however, that his Learned Friend had spared the observations with respect to certain paragraphs in the newspapers: and he would confidently appeal to the Noble Plaintiff himself, whether he believed Sir A. Paget was capable of writing any such libellous paragraph. As to the letters of Lady Boringdon, he had objected to them merely because by the rules of law they were not admissible evidence. He would allow that her Ladyship wrote in an affectionate style. He had no doubt but that the expressions in those letters were the transcript of her mind at the time she was writing, and that she was not playing the hypocrite. These letters would not, however, alter the nature of the case. Sir A. Paget was a brave soldier, the second son of a noble family, and had served his Sovereign in the honourable situation of Ambassador; but although these considerations might raise him to an equality with the Plaintiff in point of rank, it certainly gave him no equality in point of fortune. Every body knew that Sir A. Paget was by no means a man of fortune, and that whatever his connection with a noble family might give him at a future day, that would depend upon his father's pleasure. He remembered in a case of this sort, a Noble Friend (Lord Erskine), in speaking of the fortune of the Defendant, said, "You may ask any man you meet in Bond-street what is his fortune, and they will tell you, he has none, and every body knows it;" the same observation would apply to Sir A. Paget. He was a man of high spirit, noble-minded, of considerable talents; but as to fortune, he had none. If there had been any friendship or hospitality violated, the Plaintiff's agents would have brought forward witnesses to prove it; for it was impossible that any person at all acquainted with the business at Westminster Hall, should be ignorant that all those circumstances weighed most materially in deciding the amount of the damages. No body had spoken of even seeing him at the table of Lord Boringdon. When he visited, no suspicious circumstance was stated, no doors were fastened, and he was, during his visit, exposed to the intrusion of all the male and female acquaintance of the family. At Kensington Gardens nothing was proved, but the Defendant's walking with her, and that they did not think it necessary to have the nurse of the party. There was nothing like proof of any criminality till the time of the elopement; and by the testimony of the witnesses it appeared that she and the Plaintiff had lived in a state of harmony and affection up to that time. Instead of considering this an aggravated case, he thought it was one which called for compassion. He considered that the real cause of these things in fashionable life proceeded in a great measure from the course of education which young ladies of rank receive, and from the manner in which they are introduced into life. A young lady, who was known to be an heiress, after a certain course of education, which was well known, came out, or as the polite phrase is, was introduced into the world at about 15 or 16 years of age. She soon met somebody that her parents considered a good match in point of rank, and after a short courtship they were married. After marriage, fashion (which he feared was often the bitterest enemy of our happiness), made them see but little of each other. Fashion might drive a Nobleman to attend his Parliamentary duty, and might drive his Lady to some other mode of passing her time. She meets an agreeable saunterer, and is pleased with his conversation: she receives his first visit, and is pleased with the repetition of them. By such means, a Lady might conceive a warm affection for a man without any ideas of criminality on either side. Fashion had made separate beds necessary among married people in high life, and it made the pursuits of the husband and wife different. It might, perhaps, be fashion which suggested to Lord Boringdon to question his wife about the visits of Sir A. Paget; but whether he questioned her mildly or otherwise, there could be no doubt but that was the immediate cause which induced her to elope, and throw herself under the protection of Sir A. Paget. When she did throw herself, in this manner, under the protection of Sir A. Paget, on whose account she had incurred the suspicions of her husband, and been ruined in his good opinion, how was it possible for Sir Arthur to refuse that protection?

There was not a shadow of proof of criminality before the elopement. There was no officious chambermaid to tell of doors being fastened, or of her Lady's dress being discomposed. It appeared that the elopement was entirely the effect of Lord Boringdon's questioning her, and that when she conceived herself ruined in his opinion, she resolved to throw herself upon the protection of Sir A. Paget, who could not, in honour or in spirit, refuse to receive her.

The SUB-SHERIFF recapitulated the evidence to the Jury, and made some appropriate observations on the bearing of it.

The Jury, after a short consideration, found for the Plaintiff—Damages *Ten Thousand Pounds.*

CLERKENWELL SESSIONS.

On Friday, the 15th, *Seth Kelso*, a weaver and Methodist Preacher, was brought up to Hick's Hall, to be tried, in consequence of a bill found against him by the Grand Jury of Middlesex, for assaulting a poor Otaheitean, named Tahioee.

Counsellor PEATS opened the case on the part of the prosecution. His statement specified, that Kelso had seduced this Otaheitean from Capt. Wilson's protection, under the profession of teaching him to read, but instead of that, had turned the possession of him to the same purpose as Pidcock does his wild animals, making money by the shew, keeping the poor man in wretched ignorance, and ruling him with a rod of iron. That at last Tahioee, finding the situation too oppressive to bear, fled for protection to Mr. Gilham, surgeon, Blackfriars-road, and late Surgeon-Major of the Coldstream Guards. Mr. Gilham interested himself in the poor stranger's case, and as Tahioee was determined to leave his pretended instructor, Mr. Gilham went with him to Kelso to obtain his cloathing. Instead of this, Kelso forbad Tahioee leaving him, refused his cloathes, and on his attempting to take them, seized him and beat him with a chair. On this ground the action was brought.

Mr. Gilham proved the assault, and that Kelso had made money by preaching, subscriptions, &c. for the board of this man. He also demanded 60l. of Mr. Gilham, on Tahioee's finally leaving him. Mr. Gilham added, that he intended to place the man at Mr. Lancaster's school, who had offered him instruction gratis.

The Jury, without the least hesitation, pronounced Kelso *Guilty.*

As this mercenary Methodist had been a week in prison without bail, and had been brought into Court handcuffed, and had sustained no small degree of mortification, the Court only fined and discharged him.

Mr. Lancaster accompanied Mr. Gilham on this business, and Mr. Justice MAINWARING asked him some questions respecting Tahioee; by Mr. Lancaster's answers it appears that Tahioee remains under Mr. Gilham's protection, and has instruction at Mr. Lancaster's school. Mr. Justice MAINWARING told Kelso, before leaving Court, he must no longer consider he had any even the least controul over Tahioee, and that he must not attempt to interfere with him in future.—Kelso assented and retired.

ACCIDENTS, OFFENCES, &c.

There were about seven Coroner's Inquests last week, chiefly on persons drowned whilst bathing on Sunday, viz. three taken from the Serpentine, one from the Canal, two from the Thames, and one from the New River. One of the persons drowned was a miniature painter, whose distresses and cries were seen and heard on Blackfriars-bridge. Several boats put off to save him, but he sunk ere assistance could reach him.

An Inquisition was taken on Wednesday, at the Artichoke, Mill-lane, Middlesex, on the body of Nathan Wendover, a young gentleman, 19 years of age, who was drowned in the New Canal, on Sunday. The deceased, who was of very reputable parents in London, had been on a visit to the house of Mrs. Wills, and after dinner he and two other gentlemen, who were of the party, went to bathe in the Canal. Mr. Wendover got out of his depth in the current, and although he never could swim, he contrived to balance himself above water for the space of 20 yards, when he sunk. A labouring man who was on the spot jumped into the water to rescue the distressed, and he lost his life in his fruitless endeavours to save the object. None of the parties could swim.—Accidental Death.

Lately, in the vicinity of Waterford, a small boy, who had entered a garden, and was in the act of taking a few beans, was detected by the merciless proprietor, who barbarously cut off a large part of the child's ears. The inhuman wretch has absconded.

BIRTHS.

A few days since, near Lanespark, county of Tipperary, the wife of a labouring man was safely delivered of three boys, who, with the mother, are likely to do well.

Lately, in Carmarthenshire, the Lady of John Lord, Esq. of Lincoln's Inn, of two daughters.

MARRIAGES.

On Wednesday, Augustus Calland, Esq. of Goring, in the county of Sussex, to Miss Hunt, daughter of Edward Hunt, Esq. of Ewell.

In the month of April last, at the Island of Malta, Capt. Straubenzee, of the Royal Artillery, to Maria, the daughter of Major Bowen, late of the Royal Veterans, Plymouth.

DEATHS.

On Tuesday, at Southwood, Highgate, aged 69, Mrs. Longman, widow of the late Thomas Longman, Esq. of Hampstead.

On Monday, after an illness of many years, aged 87, at Cotesbatch, Leicestershire, the Rev. Robert Marriott, LL. D. Rector of Cotesbatch and of Gilmorton, in the same County.

At Petersburgh, aged two years, Elizabeth Alexandrina, daughter of the Emperor Alexander.

At Rock Villa, near Glasgow, on the 9th inst. Robert Græme, Esq. Sheriff-substitute of Lanarkshire.

At Laurencekirk, on the 28th of June, the Right Rev. Jonathan Watson, Esq. Bishop of the Episcopal Church in Scotland.

On Monday se'nnight, Mr. Sargent, for many years an eminent surgeon in Plymouth, and on the following day his wife. During an union of about forty years, "they were pleasant and lovely in their lives, and in their death they were not divided."

Tuesday morning, at her house in Portman-square, aged 75, after a long illness, the Right Hon. Dowager Lady Middleton.

On Tuesday morning, at Maryland Point, after a few hours illness, occasioned by a fall from a gig, Thomas Court, Esq. of St. Helen's-place, aged 31.

On Wednesday last, at her apartments in Great Portland-street, aged 74, Mrs. Pato, formerly of St. James's-palace.

On the 16th inst. at Sunbury, Sir John Legard, Bart. of Ganton, Yorkshire, aged 55.

On Monday, Mrs. B. Levy, of Mount-street, Whitechapel. Her death was occasioned by incautiously eating ice-cream when overheated, which brought on an inflammation, and suddenly terminated her existence.

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